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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,677	07/08/2003	Glen A. Oross	200308977-1	2586
22879	7590	02/09/2006	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			BLACKMAN, ROCHELLE ANN J	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/616,677

Applicant(s)

OROSS, GLEN A.

Examiner

Rochelle Blackman

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,6,7,9-15,20,21 and 27-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20 and 21 is/are rejected.
- 7) ☒ Claim(s) 1,4,6,7,9-15 and 27-29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/8/03 & 8/3/04 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
2. The declaration filed on January 17, 2006 under 37 CFR 1.131 has been considered but is ineffective to overcome the Peng et al. (TW Patent No. 500968) reference.

The evidence submitted is insufficient to establish a conception of the invention prior to the effective date of the Peng et al. (TW Patent No. 500968) reference. While conception is the mental part of the inventive act, it must be capable of proof, such as by demonstrative evidence or by a complete disclosure to another. Conception is more than a vague idea of how to solve a problem. The requisite means themselves and their interaction must also be comprehended. See *Mergenthaler v. Scudder*, 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897). The affidavit fails to show evidence as to the digital projector being mounted to the ceiling. Exhibit 1 does not show a digital projector mounted to a ceiling and applicant's statement in item 5 of the declaration, "...the digital projector is mounted to a ceiling...", is not facts and/or evidence showing or describing the projector mounted to a ceiling.

Drawings

The drawings are objected to under 37 CFR 1.83(a) because they fail to show the structure detail of reference numbers 12, 16, 20, 22, and 24 in FIGS. 3 and 4, as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 1, 4, 6, 7, 9-15, and 27-29 are objected to because of the following informalities:

1. In claim 9, lines 5 and 6, the limitation, "a control panel, and where the control panel is accessible when the panel is closed", should be omitted and replaced with - -a control panel module, and where a control panel, included with the control panel module, is accessible when the panel is closed- -, to remain consistent with applicant's disclosed invention.
2. Claim 27 recites the limitation "the projecting means" and "the means for providing access" in lines 2 and 3 of claim. There is insufficient antecedent basis for this limitation in the claim.
3. Claim 28 recites the limitation "the means for providing access" and "the housing means" in lines 2 and 3 of claim. There is insufficient antecedent basis for this limitation in the claim.
4. Claims 1, 4, 6, 7, 10-15, and 29 fall with their parent claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claim 20 is rejected under 35 U.S.C. 102(a) as being anticipated by Peng et al. (TW Patent No. 500968 - U.S. Patent Application Publication No. 2003/0151922 is being used as a translation).

Regarding claim 20, Peng discloses a method of changing a lamp (see 300 in Fig. 2) in a digital projector (see function of elements in Figs. 1-5), where the digital projector includes a manually openable panel (see 230 in Figs. 1-5) that provides access to the lamp, and that remains associated with the projector while open (see function of 290 in Fig. 5), and where the digital projector is mounted to a ceiling (see pg. 1, paragraphs [0002]-[0004], [0018] – “digital projector” 100 is considered to be mounted to or can be mounted to a ceiling because it installed over the ceiling, in addition, “digital projector” 100 is also capable of being mounted to the ceiling because it has a flat surface), the method comprising: manually opening the panel (see function of 230 in Figs. 1-5); removing a lamp module (see 210 in Figs. 1-5) from the projector (see locations of “lamp module” 210 relative to “projector” 100 in Figs. 1-5); removing the lamp from the lamp module (see paragraph [0020]); inserting a replacement lamp in the lamp module (also see [0020]); and inserting the lamp module in the projector”(also see locations of “lamp module” 210 relative to “projector” 100 in Figs. 1-5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peng et al. (U.S. Patent Application Publication No. 2003/0151922) in view of Rodriguez, Jr. et al. (U.S. Patent No. 6,082,864).

Peng discloses the claimed invention except for the panel being openable by depressing a "latch actuator".

Rodriguez teaches providing a panel being openable by depressing a latch actuator (see where the smaller arrow is pointing in Fig. 5 or see 23 of Figs. 6, 6a, 8, and 9).

It would have been obvious to one of ordinary skill in the art at the time invention was made to provide the "digital projector" of the Peng reference with a "latch actuator", as taught by Rodriguez in order to help align the "panel" correctly and secure the "panel" in a closed position and protect a user from electric shock.

Allowable Subject Matter

1. Claims 1, 4, 6, 7, 9-15, and 27-29 would be allowable if rewritten or amended to overcome the objection(s), set forth in this Office action.
2. The following is a statement of reasons for the indication of allowable subject matter:

Claim 9 still has been found to be allowable because the prior art of record either alone or in combination, neither discloses nor makes obvious the digital projector comprising the particular feature of (this feature includes the changes suggested by the Examiner above) - the panel providing access to a projector component that is a control panel module, and where a control panel, included with the control panel module, is accessible when the panel is closed- -, in combination with other particular combination of features recited in claim 9.

Response to Arguments

Applicant's arguments filed January 17, 2006 have been fully considered but they are not persuasive, with respect to the 102(a) rejection of claims 20 and 21 by Peng et al. (TW Patent No. 500968).

As stated above, the declaration filed on January 17, 2006 under 37 CFR 1.131 has been considered but is ineffective to overcome the Peng et al. (TW Patent No. 500968) reference. Therefore, Peng still reads on the "claimed" invention.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

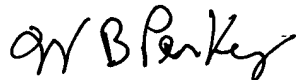
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rochelle Blackman whose telephone number is (571) 272-2113. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2851

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



RB

William Perkey
Primary Examiner